American Renaissance

There is not a truth existing which I fear, or would wish unknown to the whole world.
—*Thomas Jefferson*

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Tales of Gothic Horror

The Nightmare World of Anti-Discrimination Law

Employers are damned if they discriminate—and damned if they don't.

by Marian Evans

The United States today has employment discrimination laws that could have been written by the Queen of Hearts in *Alice in Wonderland*. They are a tangle of contradictions that stand the most elementary notion of fairness on its head. They are the all-too-real horrors that govern employment decisions every day in America.

The law, in its majesty, specifically forbids an employer to discriminate by race. Yet, the law *punishes* an employer who does *not* discriminate by race. The law specifically forbids racial quotas in hiring. Yet it punishes those who do not hire by racial quota.

The law is in manifest contradiction with itself because what its language requires—non-discrimination—will never produce what social dogma demands: equal results. Whenever the law of non-discrimination conflicts with the dogma of equal results, it is the law that must be changed, reinterpreted, or simply ignored. Thus, in the name of non-discrimination America practices discrimination; in the name of equality it practices injustice. The results are hypocrisy, cynicism, and a seething resentment that will only grow with the passage of time.

The Theory of Non-Discrimination

Though scarcely anyone dares take this position any longer, there is much to be said for giving employers the freedom to discriminate entirely as they see fit, and letting the laws of the market punish those who make irrational choices (see box). Americans lost this freedom nearly 30 years ago, and ever since the Civil Rights Act of 1964, it has been illegal for an employer to consider race as a criterion for employment. Most Americans have been taught to think that this is fair.

It was about the time of the Civil Rights Act that it became obligatory for Americans to believe that people of all races are equally capable in every field. Inherent equality, combined with equal treatment under the law, would quickly produce a society in which there were just as many blacks as whites who were doctors, lawyers, and millionaires.

Non-discrimination will never produce what social dogma demands: equal results

This theory had an important corollary that few people understood at the time: *For as long as there continued to be disproportionately more white lawyers and doctors, it would be proof that white racism was holding blacks back.* This is the crucial assumption behind today's employment laws. They are based on a syllogism that is almost never made explicit and certainly must never be examined: All races are inherently equal; whites are better off than blacks; therefore, the difference must be due to racism.

This explains why our employment laws are such a swamp of contradictions. They require equal treatment of the races *and* equal results. Since this is impossible, they require equal results and the *pretense* of equal treatment. Maintaining the pretense of equal treatment is a matter of definitions. Any selection process, no matter how fair it may appear to be, is discriminatory by definition if it results in success rates that differ by race. This is one of the unquestioned dogmas of American employment law, and has given rise to such doubtful and even hilarious notions as "test bias" (see box) and "disparate impact."

Disparate impact doctrine was built up through court decisions in the early 1970s, and formalized as law in the Civil Rights Act of 1990. It ensures that employers get minimally qualified workers, and it works like this. If an employer requires that his clerks be high school graduates, and if he selects those clerks without regard to race from among the available pool of high school graduates, he is probably guilty of racial discrimination. The reason is that more whites than blacks graduate from high school. Requiring clerks to have a diploma has a "disparate impact" because it keeps out more blacks than whites.

Obviously, there must be job standards of some kind. Clerks should

Continued on page 3

Letters from Readers

Sir – For a former New Yorker like myself, the article by Mr. Boggs (March and April, 1992) brings a tear to the eye. I can remember when New York really was the greatest city in the world.

Howard N. Ingalls, Bartlett, Ill

Sir – Signs on busy 57th Street in Manhattan read: "Don't even think of parking here." Exactly the same advice applies to white or Asian middle class people considering working or living in New York City. The city desperately needs money to clothe, feed and pamper a burgeoning army of slugs and drones on welfare and within the parasitic bureaucracy of city government. Small businessmen such as myself are crushed by a horrific tax burden, and the city does virtually nothing for those of us who foot the bill except to provide the most threadbare of services – just enough to keep society intact and limping along.

I work six days a week from dawn to dusk. Because of brutal taxes, I must work Saturdays to make ends meet. And it is early on Saturday mornings, on my way to work, that I become especially resentful, because at this time I think of Darryl and Lateesha. Darryl and Lateesha are typical welfare recipients: she, an unwed mother; he an illiterate, who proves his manhood by breeding more of his kind. There are hundreds of thousands (yes, that figure is correct!) of them feeding at New York City's public trough.

Neither Darryl nor Lateesha has the slightest idea that their weekly welfare check represents a good portion of my hard work. And if they did, they wouldn't give a tinker's dam. All they understand is that welfare is their God-given right. If it would warm your heart to do your part for Darryl and Lateesha, welcome to New York City. If you believe you are entitled to keep your hard-earned money and live in the company of civilized men and women, you should heed the sign on 57th Street.

One more thing. I must hide behind the cloak of anonymity, and I must insist that if you publish this letter, my name be withheld. Among gentlemen, there can be debate. When dealing with savages, one exercises extreme caution. Not only must I support Darryl and Lateesha, but I must do nothing to offend them – like writing letters to *AR*. If I were exposed, my property, my livelihood, and even my life would be in jeopardy. If anyone thinks this is paranoia, that person does not fully grasp the true state of race relations in the late great city of New York.

Name Withheld, New York

Sir – Since every issue of *American Renaissance* is excellent, let me just say that the March issue, received and read today, was especially excellent. The book review, "The Sex of the Brain: Why Men and Women are Different," was particularly intriguing and instructive. *American Renaissance* has to be making an impact!

Noel H. Merrihew, Wacken, Germany

Sir – In March, three million South African whites defied the logic of every-day experience, and voted to accept black rule. No doubt they felt enormous social and economic pressures from without.

Since the Second World War, it has been Western man's apparent delight to preach racial integration while ignoring its record. Now it is South Africa's turn to give it a try, apparently having lost the will to fight "the tide of world opinion."

The public opinion artists who made some of us believe that integration can work were social elitists, out of touch with common experience. They were people like the Philadelphia mayors of the 1950s – Joe Clark and Richardson Dilworth – and the man who was perhaps the quintessential "limousine liberal," New York's Mayor John Lindsey. They propounded the notion that if whites would only sacrifice *enough* (build *enough* housing projects, fund *enough* welfare programs, hire *enough* unqualified minorities), the "cycle of poverty" would be broken in a generation.

Two generations have now passed and the failures of blacks are worse than ever. Even more dispiriting from the white point of view, the problems from which blacks suffer (drugs, crime, illegitimacy) have infected much of the white working class. Whatever may have motivated South Africa's whites to submit themselves to their "Great Experiment," they are attempting something that no white society, including our own, has ever managed to do – and whites are still a 75-percent majority in the United States, whereas they are only 17 percent of the population of South Africa.

Ivan Hild, Falls Church, Va.

Sir – I thought you were a little hard on Prof. Schlesinger in your review of his book, *The Disuniting of America* (April, 1992). Granted, the idea that the "American democratic faith" will somehow bind a multiracial mishmash into a nation is absurd, but that is the sort of fairy-land thinking to which liberals are now driven. By writing such balderdash – apparently with complete sincerity – Prof. Schlesinger does us a favor by showing the weakness of the liberal position.

Stanley Orr, Pontiac, Mich.

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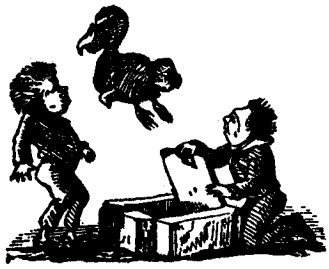
Continued from page 1

presumably be able to read, but must they be high school graduates? The employer might prefer that they be, but the 1990 law requires that all employment standards be "job related" and have a significant relationship to "business necessity." No one knows exactly what these phrases mean, but Congress was trying to codify the thinking of dozens of court decisions. It will take years of litigation to tease out the ultimate legal definition of "business necessity," but



Congress passes another civil rights bill.

the end result will be that employers must lower hiring standards to the minimum. Anything else will be seen as discrimination against blacks, since blacks are less qualified, across the board, than whites.

A society not obsessed with equal results would want job standards to be as *high* as possible. There is nothing racially discriminatory about requiring clerks to have not just a high school diploma but a college degree. In today's America, that would not be considered an attempt to get the finest possible workforce. It would be clear evidence of racial discrimination, since more whites than blacks have college degrees.

Since the 1970s, when "disparate impact" slipped into the corporate lexicon, many companies have sidestepped the question by quietly establishing hiring quotas. So long as blacks are present in the workforce in the same proportion as in the surrounding population, the question of "disparate impact" does not usually arise.

Most companies also got rid of job tests, since they had disparate impacts, just like standards. Unless an employer could show in court that a test measured the rock-bottom, minimum requirements for the job—*and nothing else*—it was racially discriminatory if it had a disparate impact. Any meaningful test has a disparate impact, and the only way that could be justified was by using a separate, narrow, specific, lawyer-proof test for every different job—an approach that was killingly expensive.

In the case of job standards, sometimes the doctrine of disparate impact simply led to their elimination. For example, most fire and police departments used to turn away applicants who had been dishonorably discharged from the military or who had criminal records. As a legal manual for fire departments explains, that would now be racial discrimination:

"The EEOC has ruled that a requirement that applicants who have served in the armed forces must have an honorable discharge is not a valid prerequisite. The reason is that twice as many blacks receive dishonorable discharges as whites, indicating 'racism' as the most significant factor in this disparity. The commission also has ruled that arrest records cannot be used to disqualify applicants, as experience shows blacks are arrested substantially more frequently than whites in proportion to their numbers." (Callahan & Bahme, *Fire Service and the Law*, p. 56.)

The EEOC has also ruled that it is discriminatory to examine an employee's credit history, which is something a company might do if the employee were to be given financial responsibility. Blacks have poorer credit histories than whites—which proves only that credit histories are "racist"—so credit histories can no longer be consulted. Taken to its limit, the logic of disparate impact requires the elimination of every standard, qualification, or test that gives different results by race. Nearly all do, so the effect has been the steady wearing away of standards of any kind.

Race-norming to the Rescue

One of the cleverest and most logical ways America found to get around the problem of disparate impact was "race-norming." This is a technique that combines the objectivity of standardized testing with guaranteed racial quotas. It was indeed a miracle, but one of duplicity rather than of test-making.

It is now "racist" to examine a potential employee's criminal record or credit history.

The General Aptitude Test Battery (GATB) is a standardized test that, until recently, was widely used to evaluate potential employees. As with all standardized tests, whites score higher on it than blacks. Since it is a test of *general* ability, and not one that measures the precise, minimal qualifications for a specific job, the GATB ran afoul of the doctrine of disparate impact. Nevertheless, various versions had been in use since 1947, and it is widely acknowledged to be an excellent way to pick employees for a large number of jobs. It would have been a shame to junk it, just because of the new doctrine.

In 1981, the U.S. Department of Labor skirted the problem by establishing a new way to score the test. If a black, a Hispanic, a white, and an

Asian each got the same raw score of 300, for example, the black would be ranked in the 87th percentile, the Hispanic in the 74th, with the white and the Asian together in the basement in the 47th percentile. According to the Department of Labor, the test could then be used to give the job to the black, since the bias that gave rise to disparate impact had been corrected by race-norming.

The arithmetic of race-norming was simplicity itself. All applicants were compared only with people of their own races. Thus, a black who scored 300 really *was* in the 87th percentile – for blacks. The white who scored 300 was likewise in the 47th percentile – for whites. Thus, any employer who used race-normed scores was *guaranteed* to get a perfectly race-balanced workforce.

By 1986, 40 American state governments and a myriad of private companies were race-norming test results. Of the estimated 16 million candidates whose scores have been adjusted this way, virtually none was ever told about it. Many employers who hired through state employment agencies – companies like Philip Morris, Canon, Nabisco, and Anheuser-Busch – got race-normed candidate profiles whether they knew it or not. As a result, less qualified blacks and Hispanics got the jobs that should have gone to whites and Asians.

A few whites eventually got wind of this system and began to complain. Race-norming got some publicity – all of it bad – and the Civil Rights Act of 1990 banned it – about the only good thing the Act did.

Nevertheless, what our sage legislators didn't realize was that forbid-

Free to Choose

Should there be laws against racial discrimination in employment? Most Americans think so. They have been persuaded to forget that discrimination is a form of freedom – and an important one.

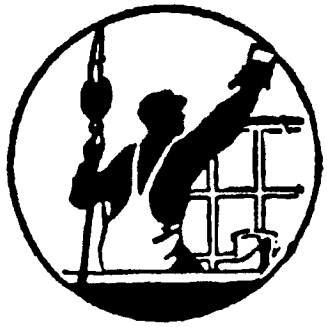
The essence of freedom is choice. People choose their employers, their neighborhoods, their pastimes, and their spouses for whatever reasons they like. They needn't justify those choices to anyone, and certainly not to some busybody from the government.

A decision to take employment, like the decision to take a spouse, is a private one. A man can turn down a job, just as a woman can turn down a marriage proposal, for absolutely any reasons. Those reasons may seem irrational to someone else, but they are certainly not *illegal*.

Why should people who *offer* employment have their choices circumscribed by law? Why must an employer justify his choices to the government or to anyone else? Most people are not employers, so they never think about the freedoms that employers have lost. A company can no longer simply hire the people it wants; it must hire only those people whom the government permits it to hire.

The same is true for dismissing employees. In most cases, a worker is free to quit at any time for any reason. Equal freedom for the employer would be the right to fire a worker at any time for any reason. Employers lost that freedom long ago.

In conditions of real liberty, an employer is free to hire only left-handed people over six feet tall, if that is what he wants. And, of course, in conditions of real liberty an employer may hire only whites or only blacks, if that is what he wants. Americans had that freedom until the Civil Rights Act of 1964 was passed.



Did they exercise it? Some did, and some did not. The laws of supply and demand have a remarkable power to match workers with jobs, without regard to race. The reason Jim Crow laws were passed to ban blacks from certain jobs is *that was the only way to keep them out*. Even in the South of 50 or 60 years ago, whites could not be counted on to put racial solidarity ahead of profits if they could find a black man who could do the job.

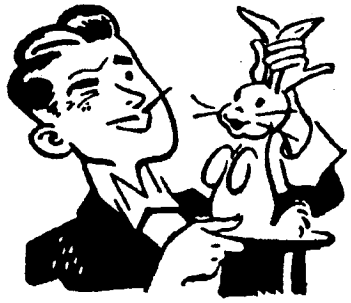
More recently, South Africa has had similar laws for similar reasons. Until they were dismantled along with Apartheid, job reservation laws had to be strictly policed. White employers routinely broke them and were *fined* for doing so. The vast majority of employers are more interested in getting the job done than in keeping the work force white.

Therefore, although popular mythology has it that blacks got white-collar jobs only after the passage of anti-discrimination laws, that is not true. There were innumerable black entrepreneurs and professionals, and some held high positions. Franklin Roosevelt appointed the first black federal judge in 1937, and a black congressman became head of the Government Operations Committee in 1949. In 1940, Richard Wright's *Native Son* was a Book-of-the-Month Club selection, and in 1950 Gwendolyn Brooks won the Pulitzer Prize for poetry. During the Second World War, four Merchant Marine ships had black captains who commanded white crews, and in 1945, a black officer was given command of an American military base for the first time.

In pre-Civil Rights days, whites hired blacks and associated with them only if they wanted to. Some did and some didn't. That is called choice. Blacks rose to high positions because they were capable, not because they were black. Some blacks were doubtless shut out of opportunities because they were black, but at least there was freedom – the freedom to discriminate.

Anti-discrimination is now a national obsession. What we have forgotten, in the Land of the Free, is that discrimination is a form of choice, and that choice is the essence of freedom. ●

ding disparate impact and banning race-norming were two contradictory exercises within the same law. People understand race-norming. They understand it and they don't like it. Even some congressmen don't like it, so when the public complained about it, it was banned. Virtually no one, certainly not a congressman, understands that the prohibition of disparate impact—the very purpose of the 1990 law—is just a different form of race-norming. It makes employers hire by



Racial balance and standards too.

racial quota. Race-norming was simply the slickest, "fairest" way to ensure competition (if only within each race) and racial quotas too. Most congressmen probably didn't realize that by voting to ban race-norming they were banning standardized employment tests.

Therefore, although the 1990 law essentially forces employers to hire by quota in order to avoid lawsuits, *it deprives them of the best way to do it.* Tests like the GATB have a huge disparate impact, but since they can't be race-normed any more, it is illegal to use them.

Employers *like* standardized tests. They give a better prediction of how an employee will turn out than interviews, letters of recommendation, or anything else. Given the choice between doing without tests completely, and cooking the scores, employers would rather cook the scores. They know that they are going to have to hire by rough racial quota anyway, and race-norming at least lets them judge blacks against blacks, whites against whites, etc.

One of the great, unsung ironies in all this is that standardized tests were devised so that employers could make decisions according to objective standards rather than subjective preference. Now, America has returned to the days of subjective preference, but with the added bother of racial quotas.

Beyond Disparate Impact

Racial quotas? Really? Today there is not a single law on the books that requires racial hiring quotas. In fact, the Civil Rights Law of 1990 forbids them—a provision its defenders point to with some smugness. However, this prohibition is like ordering the power company to run cables underground but forbidding it to dig holes. Everyone agrees to pretend that the cables somehow got underground without any digging.

"Racial discrimination" suits are now brought strictly on the basis of numbers. It is common to read about companies that have settled "discrimination" cases with large, expensive cash settlements. Intentional discrimination is almost never proven and sometimes it is not even claimed. The charge is usually "unintentional" discrimination, and if a company's workforce is disproportionately white, it is usually guilty without appeal. Since all races are equal, any disproportion must be the result of prejudice.

A recent suit against Northwest Airlines is entirely typical. In 1991, it gave up its battle with the EEOC and agreed to spend $3.5 million to accelerate the hiring and promotion of blacks. It also agreed to finance scholarships for black trainees, and to pay hundreds of thousands of dollars to blacks who claimed discrimination. It also agreed to pay for hearings in which thousands of non-white employees would have a chance to argue that they should have gotten jobs or promotions. The airline admitted no discrimination; the case against it was based on numbers. It is entirely possible that Northwest never discriminated at all by race. However, the terms of its settlement require that in the future it *will* discriminate.

Most of the time, when companies are sued for discrimination on the basis of numbers, it is cheaper for them to negotiate a settlement rather than to do battle in court. One company that valued its good name more than the cost of defending it was Sears Roebuck. It spent 15 years fighting discrimination charges brought by the Equal Employment Opportunity Commission (and financed by the taxpayer). Its actual court trial alone, in 1984 and 1985, lasted more than ten months. The trial was not about discrimination; it was about statistics. When it was over Sears had spent *more than $20 million* to get a verdict of innocent. Is it any surprise that companies would rather buy their way out of a suit than litigate to the bitter end?

Even when a company goes out of its way to hire blacks it can still get in trouble with the law. Liberty National Bank & Trust Co. of Louisville (KY) has long had a reputation as an aggressive employer of minorities. In 1989, it made a concerted effort to hire black tellers and clerical staff. Sixteen percent of the 200 such employees the bank hired that year were black. Since this was a higher percentage than the proportion of blacks in the Louisville workforce, the bank thought it had done very well.

Not so. The Labor Department discovered that 32 percent of the applicants for those jobs were black, so the bank broke the law by hiring too few of them. In 1991, Liberty National was ordered to offer jobs to 18 blacks it had turned down two years previously. Whether or not they accepted the jobs, they were to be paid the amount of money they would have earned if they had gone to work at Liberty National in 1989—a total of $277,833—minus whatever money they might have made if they had, in the mean time, taken other jobs.

The bank did not discriminate against black applicants; in fact it made a special effort to attract them. Yet, it found itself judged by a standard it had never anticipated. Having attracted a large number of black applicants, it "discriminated" by not having hired more of them. Merely by turning away those whom it thought unsuited for employment, it was guilty of racial discrimination.

Although the 1990 law essentially forces employers to hire by quota, it deprives them of the best way to do it.

America's anti-discrimination laws and the mechanisms whereby they are enforced are now in an advanced state

of lunacy. After the Civil Rights Act of 1964, many American companies tried very hard not to discriminate by race. They followed hiring criteria that were race-neutral. They almost invariably ended up with a disproportionate number of white employees.

By the mid-1970s it had become clear that such companies could be sued for discrimination—not because they had discriminated, but because they *had not*. Because they had failed to practice affirmative action, and had failed to grant race-based preferences to non-whites, they had too many white workers. By that time, the dogma of racial equality was so firmly established that such companies had no way out. If they had a disproportionate number of white workers, it could *only* be because they had discriminated against non-whites. Many companies paid up; others wised up.

Today, there are few major companies left in America that do not systematically slant their hiring practices in favor of non-whites. In a 1989 survey of Fortune 500 executives, only 14 percent reported that they ignored race and hired strictly on the basis of merit. The EEOC would love to know which companies were in that 14 percent. They are perfect targets for discrimination suits. ●

The Hunt for "Test Bias"

Years of detective work have failed to track down "cultural bias."

by Samuel Taylor

In the brave new America of obligatory equality, the results of standardized employment tests are an irritant that will not go away. Asians and whites consistently outscore blacks and Hispanics. What to do? Kill the messenger—or at least discredit him.

Police and fire departments have traditionally given written examinations to candidates for promotion to sergeant or captain. Blacks cannot pass them at the same rate as whites. The only permissible explanation for this is that the tests are "culturally biased." It is difficult to imagine just what form of cultural bias could creep into a policing exam given to professional police officers, but no matter. Bias has been declared the culprit, and efforts to "correct" it have taken an exotic turn.

The city of San Francisco spent nearly $1 million over a period of five years trying to devise a test that minorities could pass in equal numbers to whites. It couldn't do it. Recently, a judge ordered that 22 non-whites be promoted over the heads of whites who had gotten higher scores on the shiny new, presumably bias-free test.

For ten years, New York City police battled law suits claiming that their test for sergeant was biased against blacks and Puerto Ricans. In 1989, the Department hit upon the idea of inviting non-white officers to help design the test, thus eliminating bias. It didn't work. Less than two percent of the blacks who took it passed; 95 percent of all promotions to sergeant were non-Hispanic whites. The department was hit with another round of lawsuits.

The New York City police have also tried to replace the written test with a video-taped test, since asking that candidates read and write might be biased against blacks. Black and Puerto Rican groups waited until the results of the test were announced before they decided that, sure enough, the video must have been biased, too.

Since no one has managed to design tests that do not give "biased" results, the Houston Fire Department worked out a novel, court-approved method to eliminate bias *after the fact*. In 1991, it gave a 100-question test for promotions, with a passing grade of 70. Whites, as expected, got better scores than non-whites. The court agreed that the Department could then study the results and throw out questions that minorities were more likely than whites to get wrong. The reasoning was that if they got them wrong, the questions must have been biased, even if no one could figure out why.

The Department farmed the test scores out to a consulting firm, which duly eliminated 28 questions. This meant that 32 people who had originally passed now had failing grades. They were 24 whites, four blacks, three Hispanics, and one Asian. After the test was rescored, 13 people who had originally failed were found to have passed: five blacks, four Hispanics, and four whites. Since eight minorities had been knocked off the pass list, but nine had been added to it, the exercise resulted in a net gain of one. Naturally, the people who had been knocked off the pass list, including the minorities, were hopping mad, but the Houston fire chief got one more minority promotion out of the exercise.

This was hard luck for the blacks who got the right answers on questions that were supposed to be "biased" against them; and it was a piece of good luck for the whites who got the *wrong* answers on questions that were supposed to be "biased" *in their favor*. Probably no one in Houston was so annoyingly logical as to suggest that any test questions that whites were more likely than non-whites to get wrong should also be eliminated, since they might be culturally biased against whites.

The government has had no better luck designing a test that blacks and whites can pass at equal rates.

The federal government has had no better luck designing an examination that blacks and whites can pass at equal rates. In the 1970s, it used something called the Federal Service Entrance Examination. Although blacks got extra points for being black, their pass rates were still disproportionately low. At great expense, the government designed a new test, called the Professional and Administrative Career Examination (PACE), that was going to be free of

bias. Apparently it wasn't; 42 percent of white applicants passed it but only 13 percent of Hispanics and 5 percent of blacks. So, in 1982, the government scrapped PACE and gave up testing. It instituted a system of interviews and evaluations that made it easier for the government to hire non-whites. In 1987, a federal judge ruled this new process "arbitrary and capricious," but since it resulted in a satisfactory number of minority hires, it continued to be used.

Six hundred thousand dollars later, the government produced yet another set of tests, which were given for the first time in June, 1990. These have less academic content than PACE, and call for a considerable amount of subjective "biodata." The results of the test were to be scrutinized for a period of five years, with an option to scrap it if it proved to be "biased."

The State Department has had similar fun with the Foreign Service Entrance Examination. Up until the 1960s, aspiring diplomats got extra points if they could speak foreign languages. Then someone pointed out that few blacks speak anything but English. The American diplomatic corps quickly become perhaps the only one in the world that gives no credit for foreign languages. By 1979, the Department was even more worried about a dearth of blacks, so it created a "near pass" category for minorities on its entrance examination. Although 70 is the passing score for whites, blacks have been admitted with scores in the mid-50s.

Progress cannot be held back. ●

The Bandit as Revolutionary Hero

Alfredo Mirandé, *Gringo Justice*, University of Notre Dame Press, 1990, 261 pp., $24.95.

reviewed by Colin Clive

Afro-centric education—the attempt to foist a largely fictitious African-American history upon us—has its counterpart among our residents of Mexican descent. Mexicans have not gone so far as to claim that virtually every advance in philosophy, mathematics, physics, and science was the work of Latinos. Instead, they argue that Latino culture would have flowered magnificently, had it not been for the baleful influence of whites, who conquered the southwestern part of North America in the mid-19th century.

Gringo Justice, by Alfredo Mirandé, is representative of "Chicano-centrism." Widely used as a text in college courses in Chicano Studies and Minority Awareness, the author's thesis is that Chicanos are an exploited people who have been labeled as banditos and criminals by a white colonial system. "Gringos" are "oppressors," who "find it necessary to distort history so that it will conform to and justify the socially created order."

Mr. Mirandé, who teaches sociology at the University of California at Riverside, traces the history of Chicano-white legal relations since the end of the Mexican-American War. (Few recall today—and this book does not remind us—that it was Mexico that attacked the United States in 1848. British and French military observers expected Mexico to

win, and the outcome was a surprise to them as well as to the warhawks in Mexico City.) Mr. Mirandé, who lards his prose with Marxist jargon, sees banditry as a form of social protest, and "a response to the decline of a feudal society and the imposition of capitalism." Lawbreaking is nothing less than heroic resistance to Gringo oppression.

In his chapter, "Vigilantes, Bandits, and Revolutionaries," Mr. Mirandé portrays a number of Mexican outlaws who operated in the California and New Mexico territories as ideologically motivated heroes. Tiburcio Vasquez of Monterey, who was hanged in 1875 after a quarter-century career of horse thieving and cattle rustling, turned to crime, students are informed, out of concern for the protection of Mexican womanhood. Oddly, it was Rosario Leiva, a spurned mistress and wife of his first lieutenant, who played the key role in his capture and prosecution.

Another of Mirandé's heroes is Joaquin Murieta, "the Robin Hood of the West." In a two-year spree, Murieta attacked white miners and ranchers in the Sonora area. Myth has it that this outburst was prompted by seeing his girlfriend ravished before his very eyes by a gang of white claim-jumpers. In fact, he shot her after she deserted him for a white settler named Baker. Murieta was killed by California Rangers on July 24, 1853, and his pickled head was part of a museum collection that fell victim to the San Francisco earthquake of 1906.

In February, 1915, a Texas sheriff arrested a Mexican national by the name of Basilo Ramos, and uncovered an insurrection blueprint called *El Plan de San Diego*—something Mr. Mirandé calls "an important document that articulated the numerous grievances of the . . . [Hispanic] population in South Texas." *El Plan* called for a general uprising by non-whites, to be launched on Feb. 20, 1915. A "liberation army" of Mexicans, blacks, Japanese (!), and Indians was to win independence from "Yankee tyranny." Every white male over the age of 16 was to be shot, as well as all "traitors" who cooperated with the Anglo enemy.

The objective of *El Plan* was the creation of racial homelands: a black nation in the southeastern United States, a new Mexican republic in the

five southwestern states, and an Indian nation based on ancestral lands. What the Japanese were to get for their efforts remains unclear. Mirandé regrets that "historians and other scholars have tended to minimize the importance of *El Plan*, or to dismiss it as a wild, unrealistic scheme."

Turning to the present, Mirandé charges that "wanton killing" of Chicanos by the Border Patrol and local American police forces is "endemic" and that "atrocities have been committed . . . with relative impunity." These atrocities remain unspecified and undocumented. In fact, it is attacks by Mexicans against the Border Patrol and police throughout the Southwest that are increasingly common.

Mr. Mirandé reports that the US-Mexico border resembles a "war zone" in many sectors, where illegal aliens trying to enter our country are often robbed, raped, assaulted, and killed. He fails to point out that the perpetrators of these crimes are almost without exception Mexican nationals or members of cross-border Latino gangs. Immigrants are not being preyed on by white Americans.

Mr. Mirandé informs the reader that Chicanos, like blacks, view law enforcement officers as "agents of lawlessness, injustice, and abuse." While he admits that Chicano gangs are heavily involved in America's urban drug trade, Mr. Mirandé hastens to observe that Chicano crime is, in the final analysis, a result of "a clash between conflicting and competing cultures and worldviews." In the sense that traditional Euro-American culture does not countenance drug taking, public drunkenness, and territorial gang warfare, he is right.

Gringo Justice is about as far removed from neutral, academic scholarship as it is possible to get. Yet it was written with the help of a Rockefeller Foundation Postdoctoral Fellowship, a grant from the University of California at Riverside, a federal National Research Council Postdoctoral Fellowship, and support from the Stanford Center for Chicano Research. Mr. Mirandé also got a grant from the Mexican American Legal Defense and Education Fund (MALDEF), which is a tax-exempt organization supported by the Ford Foundation. Moreover, the book is published by the Notre Dame Press, one of the premier Catholic university presses in the world.

This is the kind of work that white organizations pay for, in their eagerness to support "diversity," "inclusion," and all the other excuses for anti-white propaganda. This is the sort of book that is read in the courses on "Minority Cultures," that are proliferating as required subjects on our campuses. *Gringo Justice* is another grim reminder of how far the rot has gone. ●

Colin Clive is the pseudonym of an educator who lives in Colorado Springs.

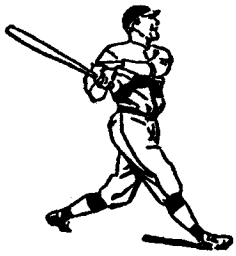
O Tempora, O Mores!

Excessive Development of Fat in the Head

Hall 25 of the National Museum of Natural History has been shut down. The exhibit, Human Origins and Variation, was assembled in the 1950s and 1960s, and is, of course, "racist" by today's standards. The example of homo sapiens is a white man, and the exhibits on human variation include such unfashionable observations as: "Excessive development of fat on the buttocks (steatopygia) is common among Bushman and Hottentot women." A corrected exhibit will take $9 million and several years to complete. In the mean time, the national museum is mute on the subject of evolution.

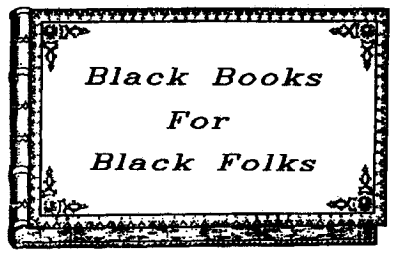
No More Braves

Portland's newspaper, *The Oregonian*, has broken new ground in racial sensitivity. It will no longer refer to sports teams by their Indian mascot names. Henceforth, it will write about "the baseball team in Cleveland" rather than the Cleveland Indians. No more Redskins, Braves, Chiefs, etc. The paper's managing editor explained in an editorial that to use the names was passive participation in furthering racial and cultural stereotypes. He went on to suggest that the rituals promoted by teams and their fans—war whoops, painted faces, tom-toms—were not merely racism but "direct attacks upon the spirituality of the Indian people . . . ."



Books for Blacks

The same racial dynamic at work in society at large can be found in book publishing: obligatory integration and inclusion for whites; voluntary separation for blacks. While mainstream publishers hire more blacks and publish more books by and about blacks, new publishers with names like Black Classic Press, Just Us Books, and Black Butterfly have no reservations about establishing exclusive racial identities.



There is now an African-American Publishers and Booksellers Association, and a regularly published list of racially correct best-sellers, called Blackboard. In the past decade, the number of book stores that specialize in black books has grown from a few dozen to more than 200.

One of the main areas of growth has been children's books for blacks—by blacks and about blacks. Titles like *Jamal's Busy Day* and *Afro-Bets Book of Black Heroes From A to Z* do the very thing that books for white children are now forbidden to do: paint all the characters one color. Liberal white educators have been culling the old classics because they either don't have any black characters (*Winnie the Pooh, Grimm's Fairy Tales*) or they have the wrong ones (Uncle Remus stories, *Huckleberry*

Finn). Dick and Jane went out of print in the 1970s, and scarcely a new title for white children comes out without friendly Hispanic neighbors and a black lady police officer.

Blacks aren't interested in integrated children's books. They want stories about black people, set in black neighborhoods, and they don't want to have to paw through shelves of integrated books in order to find them. One seller of books for blacks says, "People of color want these books separated out [for display in stores] because they are looking for something very specific."

Only certain people can write these books, explains Candy Boyd, a black author of black children's books: "There are primary writers who write from 'inside the skin . . . and there are secondary writers who write from 'outside the skin.' The story of a secondary writer can still be valid, but the perception is not equal to that of a primary writer."

Books for Whites

The sort of thing that good multiracialists are supposed to read is advertised in a catalog called *People of Every Stripe!* (Box 12505, Portland, OR 97212, price: $3.00). The cover

illustration of a white man, black woman, and what appears to be their child, sets the tone.

Children's books, which are written to fight not only racism, but every other conceivable 'ism include *Jesse's Dream Skirt*, for ages two through eight. The catalog describes it this way:

"Jesse (European American) dreams about a whirling, twirling, colorful skirt and his mother (a single parent) helps him to make one. When he proudly wears it to his multiracial daycare center, the other children ridicule him at first because 'boys don't wear skirts.' But Bruce, their teacher (African American), helps them to articulate why seeing a boy in a skirt makes them uncomfortable. They talk about styles of dressing all over the world and throughout time, and soon some of the children are happily play-dressing in their 'dream skirts,' robes, capes and other flowing garments of their own."

A perfect book for all parents who want their boys to wear skirts.

The catalog offers a number of works by someone named J. A. Rogers, including *Africa's Gift to America*. It is "a history of African people as Africa's gifts to the world and to America." Also on offer is Mr. Roger's *The Five Negro Presidents*, which presents evidence that five American Presidents had black ancestors. The same author has written *100 Amazing Facts about the Negro*—we have no doubt that they are, indeed, amazing.

Several books claim to help adults find racially correct books for their children. One is called—with no apparent irony—*Books Without Bias: Through Indian Eyes*, and contains "sensitizing articles" and "resource lists" designed to cure us of anti-Indianism. A brochure called *Ten Quick Ways to Analyze Children's Books for Sexism and Racism* explains that "If a child can be shown how to detect racism and sexism in a book, the child can then proceed to transfer the perception to wider areas." One of the wider areas we are asked to consider is the color coding for electrical terminals. "Let's make black positive," says People of Every Stripe!

The catalog also offers hints on how to strip Christmas of its whiteness. It can be downplayed in favor of the winter solstice—"A time for cross cultural gatherings and appreciation of the myriad wonders of darkness." After all, "Darkness need not be scary, black need not be evil."

The ethnic image of Christmas itself can be softened with greeting cards of a black baby Jesus and even Santa Claus dolls of every race; People of Every Stripe! stocks a full range of racial dolls. They can be black, white, Asian, Hispanic, or indeterminate, and are offered in eleven different colors, from Seashell through Brown Egg to Finest Chocolate. Even more exotic are the handicapped dolls: cripples in wheelchairs, amputees on crutches, and blind people tethered to seeing-eye dogs. "Handicappism," is another affliction to be overcome.

People of Every Stripe! is relentlessly "sensitive;" it urges that the expression "kill two birds with one stone" be junked in favor of "feed two birds with one hand," and offers a T-shirt depicting a black hand showering seed on a black bird and a red bird. Likewise, it is clear from the people chosen to model the company's clothing that we are not to harbor prejudices against the homely.

Nevertheless, the great evil is always racism: "The germs of racism are all around us and in such plentiful supply that nobody escapes catching the disease. Some of us are sicker than others but we all need treatment." If you are looking for a cure, People of Every Stripe! has one: "Start a Recovering Racists Group in your area. Everyone you know is a candidate for membership. Lead by example!"

The Market for Babies

American couples are looking overseas for children to adopt. Within the United States there are virtually no white babies available, and many states do not let whites adopt black babies for fear the children's "racial identities" will be harmed.

Korea has traditionally been the largest supplier, but last year Romania briefly topped the list. This year, after rumors that peasants were selling babies for cash, the Romanian government turned off the tap, and Korea appears to be back in the lead, followed by various Latin American countries.

China has begun to test the U.S. market. Its orphanages have been full of girls ever since it instituted a one-child-only policy in a country that

loves boys. Another recent entry is Russia. It is offering half-African and half-Asian children, who find little acceptance among Russians. Americans are happy to adopt them.

One reason foreign countries are willing to supply Americans with babies is that governments usually get a handsome rake-off from the trade. An American couple will usually have paid various agencies between $10,000 and $20,000 to take an orphan off their hands.

This is more than enough money to have started a brisk black market in babies, and operators in Brazil have been known to snatch children from out of prams and playgrounds. Recently, baby thieves kidnapped a pregnant woman in Rio de Janeiro, took her to a clinic, induced labor with drugs, and made off with the baby. Brazil exports an estimated 3,000 babies a year. Half of these are legal adoptions. The rest are kidnapped or purchased from indigent mothers.

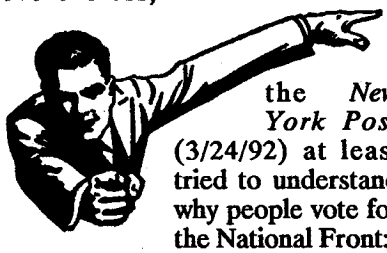
Safe Sex

Not all of the children kidnapped in Brazil are sold to people who can't have babies. The fear of AIDS has stimulated an increasing demand for child prostitutes, on the theory that youngsters are less likely to have gotten the virus yet. Prostitutes under the age of 17 are particularly common in Latin America and Asia, where millions of children live on the street and can be forced into brothels. Child prostitutes are, of course, no guarantee of safety. The World Health Organization reports that a great many young prostitutes in Thailand and the Philippines—some no older than nine—have tested positive for the virus.

France Begins to Speak

On March 22, the French voted in local elections, giving Jean-Marie Le Pen's National Front 14 percent of the vote. This was five percentage points better than in 1986, and not much worse than the 16.4 percent that the ruling Socialists won. The National Front's anti-immigration message is routinely lambasted by the media, but the French are responding to it. In parts of southern France, where Arab immigration has been heavy, the Front got as much as 30 percent of the vote. In Paris, where immigrants are also numerous, the Front's 16 percent score put it ahead of the Socialists.

As expected, American newspapers wrung their hands over the "racist," "xenophobic" French. Nevertheless,



the *New York Post* (3/24/92) at least tried to understand why people vote for the National Front:

"[I]t is unrealistic to think that any people with a national identity as evolved as that of the French are going to accept with utter equanimity the transformation of their state into a completely different entity—an Islamic republic, if you will—as a consequence of mass immigration, much of it illegal."

Bravo the *Post* for a good first step. The paper then published letters from several readers pointing out the next step: If it is legitimate for France to avoid becoming a third-world nation, it is just as legitimate for the United States to do so. The *Post* even gave its letters column (4/1/92) the bold headline, "When a Civilization is Under Siege."

Brave New World

The site of the much-ballyhooed Wounded Knee massacre is in South Dakota. The state recently tried to make amends by doing away with a paid holiday on Columbus Day and replacing it with a new holiday called Native American Day.

Walling the Border

Recently, the *Houston Post* did an informal poll of readers, in which it asked the question: "Should the United States build ditches and fences on the U.S.-Mexico border to keep out illegal immigrants?" Fully 88.4 percent of the readers who replied said Yes and only 11.6 percent said No. This is a pretty clear indication of what the people of Houston want,and they live close to the border. When will government of, by, and for the people give the people what they want?

Rapist to Remain Intact

Last month we reported that a white Houston judge had offered a black sex offender the choice between jail and castration, thereby provoking the wrath of the NAACP. Now the prisoner no longer has that option, since the doctors who had agreed to do the operation were scared away by the publicity. Something called the Black United Front contributed to the din by filing a legal objection to the plan. They likened it to "David Dukish social de-mongrelization schemes devised by eccentric right-wing lunatics and intentionally aimed at African-American males and African-American females." Jesse Jackson flew to Houston, called the plan an "ugly and dangerous precedent," and had prayers with the convict. A black state senator called for the judge's impeachment.

Lost in the din was the fact that it was the prisoner himself who had asked to be castrated rather than be sent to jail on a 35-year sentence.

Citizen Wu

If Congressman Bill Lowery of San Diego (CA) has his way, American immigration requirements will be waived so that Michael Wu can become a U.S. citizen. Mr. Wu, a 25-year-old from Taiwan has had six tries at the naturalization exam, but just can't remember the names of the 13 original states. He is a mental defective with an IQ of 60. Congressman

Lowery wants Congress to pass an exemption just for Mr. Wu because "he represents the best of what this nation is about." ●